

**AMENDMENTS TO H.R. 4591**  
**OFFERED BY MR. GILLMOR OF OHIO**

Page 10, line 11, strike “Annex 1 or 2” and insert  
“Annex I or II”.

Page 40, after line 2, insert the following new section:

**1 “SEC. 507. RULES OF CONSTRUCTION.**

**2 “Nothing in this title—**

**3 “(1) shall be construed to require the United**  
**4 States to register for a specific exemption available**  
**5 to the United States under Annex A or B to the**  
**6 POPs Convention or an acceptable purpose available**  
**7 to the United States under Annex B to the POPs**  
**8 Convention; or**

**9 “(2) affects the authority of the Administrator**  
**10 to regulate a chemical substance or mixture under**  
**11 any other law or any provision of this Act. ”.**

Page 40, lines 11 and 12, strike “covered under”  
and insert “consistent with”.

Page 40, line 20, strike “covered under” and insert  
“consistent with”.

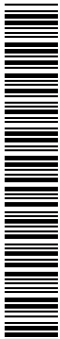


Page 56, lines 7 through 15, amend clause (i) to read as follows:

1                   “(i) IN GENERAL.—Notwithstanding  
2                   any other provision of law, with respect to  
3                   a chemical substance or mixture that is  
4                   banned or severely restricted under para-  
5                   graph (2)(A)(ii), the Administrator shall  
6                   provide to the designated authority of the  
7                   importing foreign state a copy of the  
8                   preexport notice it determines represents  
9                   the first export to the importing foreign  
10                  state after a determination under subpara-  
11                  graph (A) that the chemical substance or  
12                  mixture is banned or severely restricted  
13                  and, thereafter, the preexport notice it de-  
14                  termines represents the first export in each  
15                  calendar year to the importing foreign  
16                  state.”.

Page 58, lines 10 through 18, amend subparagraph (D) to read as follows:

17                   “(D) NOTICE OF EXEMPTION.—The Ad-  
18                   ministrator may issue a notice exempting any  
19                   chemical substance or mixture from the require-  
20                   ments of paragraphs (1) through (3), and sub-  
21                   paragraph (B) of this paragraph, if the Admin-



1           istrator determines, with the concurrence of the  
2           Secretary of State, that the exemption would be  
3           consistent with the PIC Convention or the  
4           POPs Convention.”.

Page 61, lines 3 through 18, amend subsection (e)  
to read as follows:

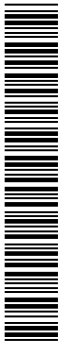
5           (e) Section 18 of the Toxic Substances Control Act  
6 (15 U.S.C. 2617) is amended—

7           (1) by amending subsection (a)(2)(B) to read  
8 as follows:

9           “(B) if—

10           “(i) the Administrator prescribes a rule or  
11 order under section 5 or 6 (other than a rule  
12 imposing a requirement described in subsection  
13 (a)(6) of section 6) which is applicable to a  
14 chemical substance or mixture, and which is de-  
15 signed to protect against a risk of injury to  
16 health or the environment associated with such  
17 substance or mixture; or

18           “(ii) the United States has consented to be  
19 bound under the POPs Convention or LRTAP  
20 POPs Protocol with respect to a POPs chemical  
21 substance or mixture or LRTAP POPs chem-  
22 ical substance or mixture (as defined in section  
23 501),



1 no State or political subdivision of a State may,  
2 after the effective date of such rule or order or con-  
3 sent, establish or continue in effect any requirement,  
4 which is applicable to such substance or mixture, or  
5 an article containing such substance or mixture, and  
6 which is designed to protect against a risk of injury  
7 to health or the environment associated with such  
8 substance or mixture that the rule, order, or consent  
9 is designed to protect against, unless such require-  
10 ment is identical to the requirement prescribed by  
11 the Administrator, is adopted under the authority of  
12 the Clean Air Act or any other Federal law, or pro-  
13 hibits the use of such substance or mixture in such  
14 State or political subdivision (other than its use in  
15 the manufacture or processing of other substances  
16 or mixtures).”; and

17 (2) by adding at the end the following new sub-  
18 section:

19 “(c) SAVINGS.—Nothing in this section shall be con-  
20 strued to authorize a State to act in a manner that causes  
21 the United States to be out of compliance with its obliga-  
22 tions under the POPs Convention or LRTAP POPs Pro-  
23 tocol. For purposes of this section, the terms ‘POPs Con-  
24 vention’ and ‘LRTAP POPs Protocol’ have the meaning  
25 given those terms in section 501.”.

